

<p>Attorney or Party Name, Address, Telephone & FAX Numbers, State Bar Number & Email Address</p> <p>Roksana D. Moradi-Brovia (Bar No. 266572) Matthew D. Resnik (Bar No. 182562) RHM LAW LLP 17609 Ventura Blvd., Suite 314 Encino, CA 91316 Telephone: (818) 285-0100 Facsimile: (818) 855-7013 roksana@RHMFirm.com matt@RHMFirm.com</p> <p><input type="checkbox"/> Debtor appearing without attorney <input checked="" type="checkbox"/> Attorney for: Debtor</p>	<p>FOR COURT USE ONLY</p> <div data-bbox="1047 262 1432 535" style="border: 1px solid black; padding: 10px; text-align: center;"><p>FILED & ENTERED</p><p>MAY 08 2024</p><p>CLERK U.S. BANKRUPTCY COURT Central District of California BY ghaltchi DEPUTY CLERK</p></div>
<p>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA –LOS ANGELES DIVISION</p>	
<p>In re:</p> <p>Orlando F. Cabanday, Jr.,</p> <p style="text-align: right;">Debtor(s).</p>	<p>CASE NUMBER: 2:24-bk-10037-NB CHAPTER: 11</p>
	<p style="text-align: center;">ORDER <input checked="" type="checkbox"/> GRANTING <input type="checkbox"/> DENYING DEBTOR'S MOTION TO AVOID LIEN UNDER 11 U.S.C. § 522(f) (REAL PROPERTY)</p> <p><input checked="" type="checkbox"/> No hearing held <input type="checkbox"/> Hearing held DATE: TIME: COURTROOM: ADDRESS:</p>
<p>Creditor Holding Lien to be Avoided (name): Howard B. Grobstein, Plan Trustee for the Plan Trust of Catherine Trinh</p>	

The Motion was: ☐ Opposed ☒ Unopposed ☐ Settled by stipulation

Pursuant to 11 U.S.C. § 522(f), Debtor moved to avoid a judicial lien on real property claimed to be exempt. The court finds and orders as follows:

1. ☐ Notice of this Motion complied with LBR 9013-1(d).
2. ☒ Notice of this Motion complied with LBR 9013-1(o).
 - a. ☒ There was no opposition and request for hearing.
 - b. ☐ Hearing requested and held as indicated in the caption.


*"Bankruptcy Code" and "11 U.S.C." refer to the United States Bankruptcy Code, Title 11 of the United States Code.
"FRBP" refers to the Federal Rules of Bankruptcy Procedure. "LBR" and "LBRs" refer to the Local Bankruptcy Rule(s) of this court.*

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

3. ☒ Motion granted as set forth in the **Attachment** to this order.
4. ☐ Motion denied on the following grounds: ☐ with prejudice ☐ without prejudice
- a. ☐ Insufficient notice
 - b. ☐ Insufficient evidence of the exempt status of the property in question
 - c. ☐ Failure to comply with FRBP 7004(b)(3) or FRBP 7004(h).
 - d. ☐ Insufficient evidence of fair market value.
 - e. ☐ Motion is incomplete.
 - f. ☐ Other (*specify*):
5. ☐ The court further orders as follows (*specify*):
- ☐ See attached page

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Date: May 8, 2024



Neil W. Bason
United States Bankruptcy Judge

**ATTACHMENT TO MOTION/ORDER
(11 U.S.C. § 522(f): AVOIDANCE OF REAL PROPERTY JUDICIAL LIENS)**

This court makes the following findings of fact and conclusions of law:

1. **Creditor Lienholder/Servicer:** Howard B. Grobstein, Plan Trustee for the Plan Trust of Catherine Trinh.
2. **Subject Lien:** Date (*specify*): 11/30/2020 and place (*specify*): Los Angeles County of recordation of lien; Recorder's instrument number or document recording number: 20201534523.
3. **Collateral:** Street address, legal description and/or map/book/page number, including county of recording: 2889 Plaza Del Amo, Unit 705, Torrance, CA 90503. ☒ See attached page.

4. Secured Claim Amount

- a. Value of Collateral: \$1,175,000
- b. Amounts of Senior Liens (reducing equity in the property to which the Subject Lien can attach):
 - (1) First lien: (\$317,768.27)
 - (2) Second lien: (\$115,935.05)
 - (3) Third lien: (\$)
 - (4) Additional senior liens (*attach list*): (\$)
- c. Amount of Debtor's exemption(s): (\$678,391)
- d. Subtotal: (\$1,112,094.32)
- e. Secured Claim Amount (negative results should be listed as -\$0-): \$ 62,905.68

Unless otherwise ordered, any allowed claim in excess of this Secured Claim Amount is to be treated as a nonpriority unsecured claim and is to be paid *pro rata* with all other nonpriority unsecured claims (in Chapter 13 cases, Class 5A of the Plan).

5. **Lien avoidance:** Debtor's request to avoid the Subject Lien is granted as follows. The fixing of the Subject Lien impairs an exemption to which Debtor would otherwise be entitled under 11 U.S.C. § 522(b). The Subject Lien is not a judicial lien that secures a debt of a kind that is specified in 11 U.S.C. § 523(a)(5) (domestic support obligations). The Subject Lien is void and unenforceable except to the extent of the Secured Claim Amount, if any, listed in paragraph 4.e. above.

☐ See attached page(s) for more liens/provisions.

Property Detail Report

For Property Located At :

2889 PLAZA DEL AMO 705, TORRANCE, CA
90503-7378



CoreLogic
RealQuest Professional

Owner Information

Owner Name: CABANDAY ORLANDO
Mailing Address: 2889 PLAZA DEL AMO #705, TORRANCE CA 90503-7378 C046
Vesting Codes: MM // SE

Location Information

Legal Description:	TR=53064 LOT 23	APN:	7359-041-023
County:	LOS ANGELES, CA	Alternate APN:	
Census Tract / Block:	6508.01 / 1	Subdivision:	53064
Township-Range-Sect:		Map Reference:	/
Legal Book/Page:	1262-36	Tract #:	53064
Legal Lot:	23	School District:	TORRANCE
Legal Block:		School District Name:	TORRANCE
Market Area:	126	Munic/Township:	TORRANCE
Neighbor Code:			

Owner Transfer Information

Recording/Sale Date:	/	Deed Type:	
Sale Price:		1st Mtg Document #:	
Document #:			

Last Market Sale Information

Recording/Sale Date:	06/25/2003 / 06/20/2003	1st Mtg Amount/Type:	\$480,000 / CONV
Sale Price:	\$601,000	1st Mtg Int. Rate/Type:	4.25 / ADJ
Sale Type:	UNKNOWN	1st Mtg Document #:	1812846
Document #:	1812845	2nd Mtg Amount/Type:	\$60,000 / CONV
Deed Type:	CORPORATION GRANT DEED	2nd Mtg Int. Rate/Type:	/ ADJ
Transfer Document #:		Price Per SqFt:	\$300.50
New Construction:	Y	Multi/Split Sale:	
Title Company:	COMMERCE TITLE CO.		
Lender:	CHASE MANHATTAN MTG		
Seller Name:	CENTEX HOMES		

Prior Sale Information

Prior Rec/Sale Date:	/	Prior Lender:	
Prior Sale Price:		Prior 1st Mtg Amt/Type:	/
Prior Doc Number:		Prior 1st Mtg Rate/Type:	/
Prior Deed Type:			

Property Characteristics

Gross Area:		Parking Type:		Construction:	
Living Area:	2,000	Garage Area:		Heat Type:	CENTRAL
Tot Adj Area:		Garage Capacity:		Exterior wall:	
Above Grade:		Parking Spaces:		Porch Type:	
Total Rooms:		Basement Area:		Patio Type:	
Bedrooms:	4	Finish Bsmnt Area:		Pool:	
Bath(F/H):	3 /	Basement Type:		Air Cond:	CENTRAL
Year Built / Eff:	2003 / 2003	Roof Type:		Style:	
Fireplace:	/	Foundation:		Quality:	
# of Stories:		Roof Material:		Condition:	
Other Improvements:					

Site Information

Zoning:	TOPR-MD	Acres:	0.05	County Use:	RESID-PLANNED (010D)
Lot Area:	2,120	Lot Width/Depth:	x	State Use:	
Land Use:	PUD	Res/Comm Units:	1 /	Water Type:	
Site Influence:				Sewer Type:	

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